

JOURNAL OF THE ASSEMBLY [February 25, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

THURSDAY, February 25, 1971.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Father Lawrence Korback of St. Peter's Catholic Church of Madison, 5001 N. Sherman Ave., Madison, Wisconsin.

Representative Baldus led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—97.

Absent with leave—Lipscomb and Mohn—2.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 101 offered by Representative Sensenbrenner.

Assembly amendment 1 to Assembly Bill 105 offered by Representative Hephner.

Assembly substitute amendment 1 to Assembly Bill 108 offered by Representatives Hephner, McCormick, G. K. Johnson, Bultman, Mielke, Korpela and Schneider.

Assembly substitute amendment 1 to Assembly Bill 121 offered by Representative Helgeson.

Assembly substitute amendment 1 to Assembly Bill 150 offered by Representatives Kessler and Earl.

Assembly amendment 1 to Assembly Bill 163 offered by Representative Earl.

Assembly substitute amendment 1 to Assembly Bill 239 offered by Representative Hephner.

Assembly amendment 1 to Assembly Bill 240 offered by Representative Atkinson.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Joint Resolution 34

By Representatives Merkel, Klicka, Kafka, Schroeder, Schowalter, Vanderperren and Wackett; co-sponsored by Senator Roseleip.

To committee on State Affairs.

Assembly Joint Resolution 35

By Representatives O'Malley, Oberle, Mohn, Slaby, Lynn, Mielke, Korpela, Dueholm, Duren, Hanson, Day, R. M. Thompson, Gaulke, Vanderperren, Bolle, Hephner, Swoboda, Everson, Oestreicher and Early; co-sponsored by Senators Thompson, McKenna, Chilsen, Martin and Peloquin, by request of Gov. Patrick J. Lucey and the Pure Milk Products Coop.

To calendar.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 335

By Representative Dueholm, by request of Palmer Sondreal and Robert Williamson.

To committee on Highways.

Assembly Bill 366

By Representatives Rogers, Otte and Early, by request of League of Wisconsin Municipalities.

To committee on Municipalities.

Assembly Bill 367

By Representatives Alberts, LaFave, Bradley, Giese, Schricker and Earl; co-sponsored by Senator Devitt.

To joint committee on Finance.

Assembly Bill 368

By Representative Stalbaum.

To committee on Highways.

Assembly Bill 369

By Representatives Sensenbrenner, Wilcox, Tregoning, T. G. Thompson, Quinn, Schowalter, Luckhardt, Kafka, Schroeder and Wackett.

To joint committee on Finance.

Assembly Bill 370

By Representatives Ferrall, Sanasarian, Brown, Barbee, Conta, Dorff, Miller, O'Malley, Boeckmann, Czerwinski, Nager, Mielke, G. K. Johnson, LaFave, Quackenbush, Vanderperren, Orlich, Jackson, Rogers, Early, Roberts, Mohn, Oberle, Slaby, Lynn, R. M. Thompson, Earl, Jackamonis, Berger, Otte, Kleczka, Wahner, Bultman, Atkinson, Schneider, Looby, Korpela, Stalbaum, Alberts, Willkom, Tregoning, Stack, Schroeder and Klicka.

To committee on Commerce and Consumer Affairs.

Assembly Bill 371

By committee on Labor, by request of Workmen's Compensation Advisory Council.

To committee on Labor.

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Assembly Bill 372

By Representatives Berger, Pabst, Bultman, Barbee, Orlich, Jackson, Tobiasz, Sicula, Sanasarian, Hanna, Kleczka, McCormick and Jones.

To joint committee on Finance.

Assembly Bill 373

By Representatives Atkinson, Nager, Looby, Pabst, Grover, Barbee, Bultman, McCormick and Early.

To committee on Insurance and Banking.

Assembly Bill 374

By Representatives Dueholm, Schneider, Mielke, Hephner and G. K. Johnson, by request of the Department of Revenue.

To committee on Taxation.

Assembly Bill 375

By Representatives Dueholm, Schneider, Otte, Mielke, Hephner and G. K. Johnson, by request of the Department of Revenue.

To joint Survey committee on Tax Exemptions.

Assembly Bill 376

By Representatives Dueholm, Schneider, Mielke, Hephner and G. K. Johnson, by request of the Department of Revenue.

To joint Survey committee on Tax Exemptions.

Assembly Bill 377

By Representatives Schowalter, Helgeson, Shabaz, Giese, Schneider and Merkel, by request of the League of Wisconsin Municipalities.

To committee on Municipalities.

Assembly Bill 378

By Representatives Sanasarian, Wahner, Conta, Czerwinski, Berger, Bultman, Barbee, Jackson, Tobiasz, Sicula, Hanna, Kleczka, McCormick and Kessler.

To committee on Taxation.

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Assembly Bill 379

By Representatives Azim, Greider, Lewison, Wilcox, Klicka, Byers, Kafka, Tregoning, Sensenbrenner, Luckhardt, Froehlich, Stalbaum, Merkel, Schroeder, Schricker, Conradt, T. G. Thompson, Helgeson, Wilger, Mato and Guiles; co-sponsored by Senators Knutson, Devitt, Lorge, Murphy, Keppler, Johnson, Swan, Cirilli, Steinhilber, LaFave, Chilsen, Soik, Heinzen, Lotto, Bidwell, Roseleip, Hollander and Knowles, by request of Attorney General Robert W. Warren.

To committee on State Affairs.

Assembly Bill 380

By Representatives Alberts, LaFave, Giese, Byers and Shabaz; co-sponsored by Senators Devitt and LaFave.

To committee on Natural Resources.

Assembly Bill 381

By Representatives Alberts, LaFave, Giese, Sensenbrenner, Dorff and Ferrall; co-sponsored by Senators Devitt and LaFave.

To committee on Natural Resources.

Assembly Bill 382

By Representatives Hanna and Atkinson, by request of Milwaukee County.

To committee on Judiciary.

Assembly Bill 383

By Representatives Lynn and Kleczka, by request of Milwaukee County.

To committee on Highways.

Assembly Bill 384

By Representative Dueholm; co-sponsored by Senator Knowles, by request of the St. Croix Falls Country Club.

To committee on Excise and Fees.

Assembly Bill 385

By Representatives Sanasarian, Brown, Ferrall, Bultman, Boeckmann, Tobiasz, Rutkowski, Jackamonis and Otte; co-sponsored by Senators McKenna, Thompson and Devitt.

To committee on Judiciary.

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Assembly Bill 386

By Representatives Sanasarian, Tobiasz, Ferrall, Brown, Wahner, Conta, Earl, Barbee and Czerwinski; co-sponsored by Senator Parys.

To joint committee on Finance.

Assembly Bill 387

By Representatives Sanasarian, Brown, Ferrall, Barbee, Bultman, Boeckmann, Tobiasz, Jackamonis, Miller and Otte; co-sponsored by Senators Thompson and Devitt.

To committee on Commerce and Consumer Affairs.

PETITIONS

Assembly Petition 19

By Representatives Bolle and Helgeson.

To committee on State Affairs.

Assembly Petition 20

By Representatives Bolle and Helgeson.

To committee on Highways.

Assembly Petition 21

By Representative Sensenbrenner.

To committee on State Affairs.

Assembly Petition 22

By Representative Wilcox.

To committee on Highways.

Assembly Petition 23

By Representative Mittness.

To committee on Judiciary.

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COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

Assembly Bill 183

Relating to cryogenic interment, and granting rule-making power.

Indefinite postponement; Ayes, 8; Noes, 2.

Assembly Bill 213

Relating to permitting county appropriations for cultural and educational purposes.

Passage; Ayes, 8; Noes, 2.

Assembly Bill 228

Relating to lobbying by state bar.

Passage; Ayes, 10; Noes, 0.

ALVIN BALDUS,
Chairman.

The committee on Judiciary reports and recommends:

Assembly Joint Resolution 12

Relating to directing the legislature to establish environmental courts to deal with pollution cases (1st consideration).

Rejection; Ayes, 8; Noes, 1.

Assembly Bill 92

Relating to excluding the public from divorce trials.

Indefinite postponement; Ayes, 10; Noes, 0.

Assembly Bill 97

Relating to notifying parents of children's traffic violations.

Passage; Ayes, 9; Noes, 1.

Assembly Bill 137

Relating to making guardians bonds discretionary with the courts.

Passage; Ayes, 10; Noes, 0.

MARK G. LIPSCOMB, JR.,
Chairman.

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The committee on Elections reports and recommends:

Assembly Bill 131

Relating to lowering the age of voting to 18, and providing for a referendum.

Passage; Ayes, 6; Noes, 1.

FREDERICK P. KESSLER,
Chairman.

The committee on State Affairs reports and recommends for introduction:

Assembly Bill —

Relating to severance pay for state employees.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to free parking for state employees.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to longevity pay rates of classified state employees.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to night bonuses for state employees.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to mileage reimbursements for state employees, and making an appropriation.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to hazardous duty of state security officers and watchmen.

Ayes, 7; Noes, 3.

Assembly Bill —

Relating to time off for voting for state employees.

Ayes, 7; Noes, 3.

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Assembly Bill —

Relating to paid military leave for state employees.
Ayes, 7; Noes, 8.

ALVIN BALDUS,
Chairman.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted and asks concurrence in:

Motion Under Joint Rule 26

A Joint Certificate of Condolence by the Entire Membership of the senate to Earl Sachse in the loss of his wife Lucile who died February 18, 1971.

Representative Anderson asked unanimous consent that the rules be suspended and that Motion Under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on the Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Motion Under Joint Rule 26

A Joint Certificate of Congratulations by Senator Johnson; co-sponsored by Representative Quackenbush to Dr. Floyd D. Petersen of Cashton recently named Veterinarian of the year by the Wisconsin Veterinary Medical Association.

Representative Anderson asked unanimous consent that the rules be suspended and that the Motion Under Joint Rule 26 be taken up at this time. Granted.

The question was: Concurrence?

Motion carried.

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Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on the Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Concurred in:

Motions Under Joint Rule 26

A Joint Certificate of Commendation by the Entire Membership of the assembly; co-sponsored by Senators LaFave, Knowles and Keppler for Gus H. Bakke on his record of service to the State of Wisconsin while serving as Secretary of the Department of Transportation; and

A Joint Certificate of Congratulations by Representative G. K. Johnson; co-sponsored by Senators Swan and Thompson for Beloit College on the 125th Anniversary of its charter.

Passed and asks concurrence in:

Senate Bill 34,
Senate Bill 48,
Senate Bill 111,
Senate Bill 124,
Senate Bill 151 and
Senate Bill 153.

ACTION ON SENATE MESSAGE

Read first time and referred:

Senate Bill 34

By Senator Busby.
To calendar.

Senate Bill 48

By Legislative Council.
To calendar.

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Senate Bill 111

By Senator Soik; co-sponsored by Representative Sensenbrenner.

To committee on Municipalities.

Senate Bill 124

By Senator Knutson, by request of LaCrosse County Board of Supervisors.

To committee on State Affairs.

Senate Bill 151

By Senators Keppler and Risser; co-sponsored by Representatives Froehlich and Huber.

To calendar.

Senate Bill 153

By Senators Keppler and Risser; co-sponsored by Representatives Froehlich and Huber.

To calendar.

MOTIONS

Representative Anderson asked unanimous consent that Assembly Bill 64 be withdrawn from the calendar of February 26, and be referred to the joint committee on Finance.

Representative Merkel objected.

Representative Anderson moved that Assembly Bill 64 be withdrawn from the calendar of Friday, February 26, and be referred to the joint committee on Finance.

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POINT OF ORDER

Representative Merkel rose to a point of order that this motion requires a 2/3 vote because it constitutes an advancement of the bill.

The chair took the point of order under advisement.

CALENDAR OF THURSDAY, FEBRUARY 25, 1971
SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS

Assembly Bill 13

Relating to the authority of counties to engage in solid waste disposal.

The question was: Adoption of substitute amendment 1 to Assembly Bill 13?

Motion carried.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 13 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 13 be immediately messaged to the senate. Granted.

Assembly Bill 31

Relating to the standard of time.

The question was: Indefinite postponement?

Motion carried.

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Assembly Bill 94

Authorizing counties to appropriate funds for promoting and assisting senior citizens groups.

The question was: Adoption of amendment 1?

Motion carried.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 94 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 94 be immediately messaged to the senate. Granted.

Assembly Bill 116

Relating to sale of liquor near hospitals for the insane.

The question was: Adoption of amendment 1 to Assembly Bill 116?

Motion carried.

The question was: Shall Assembly Bill 116 be indefinitely postponed?

Motion carried.

Assembly Bill 148

Relating to eliminating exemptions from the equal opportunity for housing law.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 148 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

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The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Froehlich, Gaulke, Giese, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kleczka, Korpela, Lewison, Looby, McCormick, McEssy, Mato, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Sensenbrenner, Sricula, Slaby, Stack, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—67.

Noes—Boeckmann, Bradley, Conradt, Ellis, Greider, Groshek, Kafka, Klicka, LaFave, Luckhardt, Lynn, McDougal, Merkel, Mielke, Quackenbush, Quinn, Roberts, Schricker, Schroeder, Schwefel, Shabaz, Sweda, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—27.

Absent or not voting—Kessler, Lipscomb, Mohn, Stalbaum and Swoboda—5.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 148 be immediately messaged to the senate. Granted.

Assembly Bill 165

Relating to prison labor.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 165 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on

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Assembly Bill 165 be immediately messaged to the senate.
Granted.

Assembly Bill 166

Relating to activities of prisoners off prison grounds.

The question was: Adoption of amendment 1?

Motion carried.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 166 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 166 be immediately messaged to the senate. Granted.

Assembly Bill 168

Relating to child care reimbursement to counties operating children's homes.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that Assembly Bill 168 be referred to the joint committee on Finance. Granted.

Assembly Bill 194

Relating to the definition of air pollution which may be regulated by the county.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

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Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 194 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Byers, Conta, Czerwinski, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Mielke, Miller, Mittness, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Sweda, Thompson R. M., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—84.

Noes—Boeckmann, Bradley, Conradt, Day, Gaulke, Hephner, Merkel, Schowalter, Schroeder, Stalbaum and Thompson T. G.—11.

Absent or not voting—Kessler, Lipscomb, Mohn and Swoboda—4.

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 194 be immediately messaged to the senate. Granted.

Assembly Bill 210

Relating to labor management relations.

Representative Azim moved indefinite postponement of Assembly Bill 210.

Representative Azim asked unanimous consent to withdraw his motion. Granted.

Representative Azim moved rejection of substitute amendment 1 to Assembly Bill 210.

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The question was: Rejection of substitute amendment 1 to Assembly Bill 210?

Representative Anderson asked unanimous consent that the assembly recess for ½ hour prior to the joint convention of the senate and assembly. Granted.

The assembly stood recessed.

10:30 A.M.

RECESS

JOINT CONVENTION

11:00 A.M.

Representative Anderson asked unanimous consent for a leave of absence for the remainder of today's session for Representatives Lipscomb, Swoboda and Mohn. Granted.

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the senate.

Both houses went into joint convention.

Lieutenant Governor Schrieber presiding.

Escorted by Senators Johnson and Whittow and Representatives Grover and Shabaz Governor Lucey took his place at the rostrum to deliver his budget message.

GOVERNOR'S MESSAGE

Joint Rule 36 directs that Executive Messages be printed in full in the senate journal only.

Representative Anderson moved that the joint convention arise.

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The question was: Shall the joint convention arise?
Motion carried.

11:55 A.M.

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly Bill 231 offered by committee on Environmental Quality.

Assembly amendment 1 to Assembly Bill 204 offered by Representative Alberts.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Boy Scouts, Troop 36 and Mr. Walt Hestekin and Mr. Armand Johnson, Eau Claire, Wisconsin, guests of Representatives Looby and Mato.

William H. Best, Santa Clara, California, guest of Representative Sensenbrenner.

Mrs. Baker from Amery, Wisconsin and Mrs. Bruce Pelouquin and daughter, Tracy from Chippewa Falls, Wisconsin, guests of Representatives Dueholm and Willkom.

The assembly reconvened.

12:00 Noon.

Representative Anderson moved the assembly adjourn until 9:30 A.M., Friday, February 26, 1971.

The question was: Adjournment?
Motion carried.

The assembly stood adjourned.

12:03 P.M.